

**Case 3702*****Verconella dilatata* var. *cuvieriana* Powell, 1927 (currently *Penion cuvierianus*; Mollusca, Gastropoda, BUCCINOIDEA): proposed conservation of the specific name**

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**Abstract.** The purpose of this application, under Article 23.9.3, is to conserve the well-known specific name *Penion cuvierianus* (Powell, 1927) for a common species of marine gastropod from New Zealand. The name is threatened by the senior subjective synonym *Verconella rex* Finlay, 1926, which has almost never been mentioned since its first publication. Precedence of the name *Penion cuvierianus* is proposed to maintain stability of nomenclature.

**Keywords.** Nomenclature; taxonomy; Mollusca; Gastropoda; BUCCINIDAE; *Verconella*; *Penion*; *Verconella cuvieriana*; *Verconella rex*; New Zealand.

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1. Finlay (1926, p. 412, figs. 71, 72) described *Verconella dilatata rex*, based on a specimen from 73 m depth off Whakatane, New Zealand (holotype MA70830 in the Auckland Museum).



2. Powell (1927, p. 553, figs. 13, 14) described *Verconella dilatata* var. *cuvieriana*, based on a specimen from 70–73 m depth off Whakatane, New Zealand (holotype Auckland Museum MA71265).

3. The species currently known universally as *Penion cuvierianus* is common off the northern North Island of New Zealand, living at 37–400 m depth. It was long identified as *Fusus dilatatus* Quoy & Gaimard, 1833 and, for a time, *Siphonalia maxima* Tryon, 1881, until Ponder (1975, fig. 1) showed that the lectotype (Fischer-Piette & Beigbeder, 1944, p. 73, ‘holotype’) of *F. dilatatus* is actually a form of the other common New Zealand shallow-water species, now known as *P. sulcatus* (Lamarck, 1816).

4. Ponder (1975) selected *Verconella dilatata* var. *cuvieriana* Powell, 1927 in preference to *V. dilatata* var. *rotunda* Powell, 1927 as the next available name for *Penion dilatatus* of authors, not Quoy & Gaimard, overlooking *Verconella dilatata rex* Finlay, 1926, which is conspecific with *V. dilatata* var. *cuvieriana*, and was introduced in the same volume (vol. 57) of the *Transactions of the New Zealand Institute* (title page dated 10 March 1927).

5. A declaration printed at the top of the first page of Finlay’s article states that it was ‘issued separately 23 December 1926’ (Finlay, 1926, p. 320; Beu et al., 1969), prior to Powell’s article (which bears the statement ‘issued separately 8 February 1927’). In an attempt to reconcile priority of names introduced by R.S. Allan and H.J. Finlay in volume 57, a submission was made to the International Commission for confirmation of 23 December 1926 as the date of publication of Finlay’s article (Beu et al., 1969), but this was never ruled upon by the Commission. For several decades thereafter, local authors accepted 10 March 1927 as the date of publication of all articles in volume 57, until Beu & Maxwell (1990, p. 15) advocated acceptance of 23 December 1926 for Finlay’s article. This has been accepted as the date of publication in recent years by all New Zealand authors and others aware of the situation. Finlay’s taxon *Verconella dilatata rex* clearly has priority over Powell’s taxon *V. dilatata cuvieriana*.

6. Apart from a listing of the holotype in a catalogue of type specimens (Powell, 1941, p. 257), the name *Verconella dilatata rex* was omitted from all authoritative checklists of the New Zealand molluscan fauna (Powell, 1937, 1946, 1957, 1962) and a review of the genus (Powell, 1947), until finally listed in the synonymy of *Penion dilatatus dilatatus* (Powell, 1976, p. 101; 1979, pp. 200, 500), i.e. *P. cuvierianus*. Otherwise *V. rex* has been mentioned only once (Finlay, 1930, p. 72) since the original description, as a species in comparative remarks about a congener. Since the conditions of Article 23.9.1.1 are not met, prevailing usage cannot be maintained through simple reversal of precedence.

7. The binomen *Penion cuvierianus* has been accepted universally as the valid name for the species, following Ponder’s (1975) article, including by Powell (1979, p. 500), who referred to it in an addendum. A list of 20 additional examples of usage is submitted to the Commission Secretariat. Both common shallow-water species of *Penion* in New Zealand have undergone many changes of name during the last 100 years; the name of the other common species, *P. sulcatus*, has also been accepted for only a similarly short period. Both names, *P. sulcatus* and *P. cuvierianus*, have stabilised only relatively recently after a long series of confusing changes. To change one of them again now would be particularly upsetting for stability of nomenclature. The name *P. cuvierianus* was adopted immediately in 1975 and has been accepted in New Zealand as the valid name for this common species, in voluminous ‘grey literature’ as well as the formal usages (a list of usages is submitted to the Commission Secretariat), so we consider that reversal of precedence and acceptance of *Penion cuvierianus* as the valid name for this species is



important to promote stability of nomenclature. *Verconella rex* is literally a forgotten name whose introduction would cause great confusion.

8. The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary power to give the specific name *cuvieriana* Powell, 1927, as published in the trinomen *Verconella dilatata cuvieriana*, precedence over the species name *rex* Finlay, 1926, as published in the trinomen *Verconella dilatata rex*, whenever these are considered synonyms;
- (2) to place on the Official List of Specific Names in Zoology the following names:
  - (a) *cuvieriana* Powell, 1927, as published in the trinomen *Verconella dilatata cuvieriana*, with the endorsement that it is to be given precedence over *Verconella dilatata rex* Finlay, 1926 whenever the two are considered to be synonymous;
  - (b) *rex* Finlay, 1926, as published in the trinomen *Verconella dilatata rex*, with the endorsement that it is not to be given priority over the name *Verconella dilatata cuvieriana* whenever the two are considered to be synonymous.

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### References

- Beu, A.G., Dell, R.K., Fleming, C.A., Marwick, J., Maxwell, P.A., Ponder, W.F. & Powell, A.W.B. 1969. Request for rulings on works on New Zealand Mollusca by R.S. Allan and H.J. Finlay. *Bulletin of Zoological Nomenclature*, **261**: 42–50.
- Beu, A.G. & Maxwell, P.A. 1990. Cenozoic Mollusca of New Zealand. *New Zealand Geological Survey Paleontological Bulletin*, **58**: 1–454.
- Finlay, H.J. 1926. A further commentary on New Zealand molluscan systematics. *Transactions of the New Zealand Institute*, **57**: 320–485.
- Finlay, H.J. 1930. New shells from New Zealand Tertiary beds. *Transactions of the New Zealand Institute*, **61**: 49–84.
- Fischer-Piette, E. & Beigbeder, J. 1944. Catalogue des types de gastéropodes marins conservés au Laboratoire de Malacologie. IV. Fusidae, Buccinidae. *Bulletin du Muséum National d'Histoire Naturelle*, **2(16)1**: 70–77.
- Ponder, W.F. 1975. Identity of *Penion dilatatus* (Quoy & Gaimard, 1833) (Mollusca: Buccinidae). *New Zealand Journal of Marine and Freshwater Research*, **9**: 569–571.
- Powell, A.W.B. 1927. Variation of the molluscan genus *Verconella* with descriptions of new recent species. *Transactions of the New Zealand Institute*, **57**: 549–558.
- Powell, A.W.B. 1937. *The shellfish of New Zealand: an illustrated handbook*. 100 pp. Unity Press, Auckland.
- Powell, A.W.B. 1941. Biological primary types in the Auckland Museum. *Records of the Auckland Museum*, **2**: 239–259.
- Powell, A.W.B. 1946. *The shellfish of New Zealand: an illustrated handbook [edition 2]*. 106 pp. Whitcombe & Tombs, Christchurch.
- Powell, A.W.B. 1947. Phylogeny of the molluscan genus *Verconella*, with descriptions of new recent and Tertiary species. *Records of the Auckland Institute and Museum*, **3**: 161–169.
- Powell, A.W.B. 1957. *Shells of New Zealand: an illustrated handbook [edition 3]*. 202 pp. Whitcombe & Tombs, Christchurch.
- Powell, A.W.B. 1962. *Shells of New Zealand: an illustrated handbook [edition 4]*. 203 pp. Whitcombe & Tombs, Christchurch.



- Powell, A.W.B.** 1976. *Shells of New Zealand: an illustrated handbook [edition 5]*. 154 pp. Whitcoulls, Christchurch.
- Powell, A.W.B.** 1979. *New Zealand Mollusca. Marine, land and freshwater shells*. 500 pp. Collins, Auckland.

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